

1 HOLLAND & KNIGHT LLP
2 Matthew P. Vafidis (California Bar No. 103578)
3 50 California Street, 28th Floor
4 San Francisco, California 94111
5 Telephone: (415) 743-6900
6 Facsimile: (415) 743-6910
E-mail: matthew.vafidis@hklaw.com

5 Attorneys for Plaintiff and Defendant on the Counterclaim
6 DQ TECHNOLOGY, INC.

7

8 **UNITED STATES DISTRICT COURT**
9
10 **NORTHERN DISTRICT OF CALIFORNIA**

11

12 DQ TECHNOLOGY, INC.) No. C 06-06596 MHP
13 Plaintiff,)
14 vs.)
15 WILLIAM J. MURPHY, an individual; and) **STIPULATION AND
16 JERRY MCINNES, an individual,) ORDER OF DISMISSAL
17 Defendants.) **OF ACTION WITH PREJUDICE**
18) Rule 41(a)(1), Fed. R. Civ. P.
19)
20)
21)**

22)
23 WILLIAM J. MURPHY, an individual;)
24 Counter-Claimant,)
25 vs.)
26 DQ TECHNOLOGY, INC.,)
27 Counter-Defendant.)

28 Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff and
Defendant on the Counterclaim DQ Technology, Inc. ("DQ"), Defendant and Counter-Claimant
William J. Murphy ("Murphy") and Defendant Jerry McInnes ("McInnes") ("the Parties"
collectively, and "Party" individually) hereby stipulate and agree, as follows:

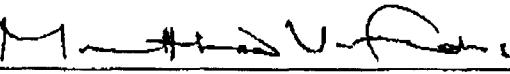
28 The Parties have agreed upon a confidential settlement of this entire action that is
satisfactory to all Parties. As such, the above-captioned action, including all of the claims and

1 the counterclaim brought therein, shall be and is hereby dismissed *with prejudice* pursuant to
2 Rule 41(a)(1). Each Party will bear its own costs and attorneys' fees in this action.

3 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

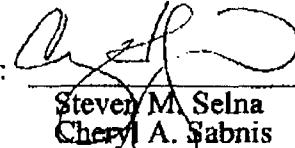
4 Dated: April 30, 2007

HOLLAND & KNIGHT LLP

6 By: 
Matthew P. Vafidis

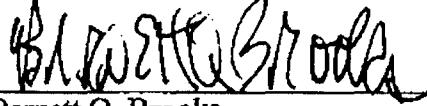
7
8 Attorneys for Plaintiff and Defendant on
9 the Counterclaim
DQ TECHNOLOGY, INC.

10 Dated: April 20, 2007

11 DRINKER BIDDLE & REATH LLP

12 By: Steven M. Selna
Cheryl A. Sabnis

13 Attorneys for Defendant
14 JERRY MCINNES

15 Dated: April 30, 2007

16 BARNETT BROOKS & ASSOCIATES, LLC

17 By: Barnett Q. Brooks

18 Attorneys for Defendant and
19 Counterclaimant WILLIAM J. MURPHY

20
21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23
24 Dated: May 3, 2007



25
26
27
28
STIPULATION AND ORDER OF DISMISSAL OF ACTION *WITH PREJUDICE*
No. C 06-06596 MHP